



## Legislation Text

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**File #:** 151839, **Version:** 1

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151839  
SUBSTITUTE 1  
070105

Alderman Bohl

Substitute resolution amending a special privilege to Spirit of Milwaukee Incorporated for to construct and maintain one additional gateway sign in the street median of West Capitol Drive west of North 100<sup>th</sup> Street, in the 5<sup>th</sup> Aldermanic District.

This resolution amends a special privilege to Spirit of Milwaukee Incorporated for to construct and maintain one additional gateway sign in the street median of West Capitol Drive west of North 100<sup>th</sup> Street.

Whereas, Spirit of Milwaukee Incorporated, the applicant, in cooperation with the Department of Public Works, is proposing to install gateway signage at several prominent locations within medians of various streets in order to present a more attractive and welcoming image to people entering the City of Milwaukee; and

Whereas, Each of the signs will have a corporate sponsor, that will pay the cost of fabricating and maintaining its sign and maintaining the median on which the sign will be located; and

Whereas, The applicant had requested permission for gateway signs in street medians located at South Howell Avenue north of West Grange Avenue; West Kilbourn Avenue west of North 6<sup>th</sup> Street; and West Fond du Lac Avenue east of Interstate Highway 43; and

Whereas, Permission for said signs was granted under Common Council Resolution File Number 070105; and

Whereas, The current request is to construct and maintain a gateway sign in the median of West Capitol Drive west of North 100<sup>th</sup> Street; and

Whereas, Said new gateway sign may only legally encroach into the public right-of-way by granting of a special privilege resolution adopted by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 070105 is hereby rescinded; and, be it

Further Resolved, That Spirit of Milwaukee Incorporated, 710 North Plankinton Avenue #730, Milwaukee, WI 53203, is hereby granted the following special privileges:

1. To construct and maintain a 12-foot tall gateway sign in the median of West Capitol Drive west of North 100<sup>th</sup> Street. Said sign will be centered approximately 416 feet west of the westline of North 100<sup>th</sup> Street and 60 feet south of the northline of West Capitol Drive. The two sided sign will be 4 feet 8 inches wide and will be supported by two, 1-foot 6-inch diameter foundations.
2. To keep and maintain an 8-foot tall gateway sign in the median of West Fond du Lac Avenue, east of Interstate Highway 43. Said sign will be centered approximately 80 feet east of the west curb line of the northbound off ramp and approximately 16 feet 6 inches north of the south curb of the median. The triangular sign will have sides that are no more than 4 feet 5 inches in width.
3. To keep and maintain a 20-foot tall gateway sign in the median of West Kilbourn Avenue west of North 6<sup>th</sup> Street.

The sign will be centered between the on and off ramps to Interstate Highway 43. The triangular sign will have sides that are no more than 8 feet 3 inches long. Additionally, each point of the triangular sign will be supported by a 4-foot deep, 1-foot 6-inch square footing.

4. To keep and maintain a 12-foot tall gateway sign in the median of South Howell Avenue north of West Grange Avenue. Said sign is centered in the 120-foot wide right-of-way of South Howell Avenue approximately 105 feet north of the centerline of West Grange Avenue. The triangular sign has sides that are each, at most, 7 feet 7 inches wide.

Said gateway signs shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said gateway signs shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Spirit of Milwaukee Incorporated, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the Commissioner of Public Works a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. The insurance policy shall provide that it shall not be cancelled until after at least thirty days' notice in writing to the Commissioner of Public Works.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$60.00. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1<sup>st</sup> of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Department of Public Works

Administration Division

MICHAEL LOUGHRAN/DAWN SCHMIDT/C. MURPHY

May 17, 2016